

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Crim. No. 06-26(1) (JNE/FLN)
ORDER

Veronica Garcia,

Defendant.

In a Report and Recommendation dated March 27, 2006, the Honorable Franklin L. Noel, United States Magistrate Judge, recommended that Defendant's Motion to Suppress Confessions be denied, that Defendant's Motion to Suppress the Contents of Any Intercepted Wire or Oral Communications be granted in part, that Defendant's Motion to Suppress Evidence Derived from Intercepted Wire or Oral Communications be granted in part, that Defendant's Motion to Dismiss Count I of the Indictment be denied, and that Defendant's Motion for a Bill of Particulars be granted in part. Defendant objected to portions of the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Defendant's Motion to Suppress Confessions [Docket No. 24] is DENIED.
2. Defendant's Motion to Suppress the Contents of Any Intercepted Wire or Oral Communications [Docket No. 32] is GRANTED to the extent it seeks to suppress the intercepted communications to which no party consented to the recording thereof. In all other respects, the Motion is DENIED.
3. Defendant's Motion to Suppress Evidence Derived from Intercepted Wire or Oral Communications [Docket No. 33] is GRANTED to the extent that it seeks to suppress evidence derived from intercepted communications to which no party consented to the recording thereof. In all other respects, the Motion is DENIED.

4. Defendant's oral Motion to Dismiss Count I of the Indictment is DENIED.
5. Defendant's Motion for a Bill of Particulars [Docket No. 39] is GRANTED to the extent it seeks to compel the Government to identify the "unindicted" coconspirators with whom Defendant conspired who are "known" to the grand jury, and to identify the "unknown" coconspirators by their role or involvement in the conspiracy. In all other respects, the Motion is DENIED.

Dated: May 8, 2006

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge